

Memorandum



Date: September 8, 2005

To: Honorable Chairperson and Members,
Board of Commissioners of the NW 7th Avenue
Corridor Community Redevelopment Agency

From: George M. Burgess
CRA Executive Director

Subject: Report Recommending a Waiver of the formal bid procedures in RFP CRA001 for the
NW 7th Avenue Corridor Development Project

CRA

Agenda Item No. 4A

RECOMMENDATION

This report presents the justification for a recommended waiver of the formal bid procedures in RFP CRA001 for the NW 7th Avenue Corridor Development project and a recommendation that the Board of Commissioners of the NW 7th Avenue Corridor Community Redevelopment Agency (the CRA Board), authorize negotiations with Potamkin Development I-95 LLC.

BACKGROUND

On March 1, 2005 the CRA Board adopted Resolution CRA-1-05, which authorized the issuance of a request for proposals (RFP) to develop a retail auto mall within the boundaries of the NW 7th Avenue Corridor Community Redevelopment Area and to establish an evaluation/selection committee for RFP No. CRA001. The deadline for receipt of proposals was April 29, 2005. Following this process, the Office of Community and Economic Development (OCED), the issuing department received responses from one (1) vendor, Potamkin Development I-95 LLC.

On July 8, 2005 the evaluation/selection committee after some deliberation, requested an opinion of the County Attorney's Office (CAO) on the responsiveness of the sole proposal received relative to Section 3.2 (6)(b) – Development Plan/Vision and Section 3.2 (7) – Financial Capability of the RFP. The CAO, upon review of the proposal, opined that the proposal was non-responsive to the RFP's minimum qualification requirement, that the proposer at the time of submission must have at least three (3) distribution rights for the territory within the Primary Redevelopment Project Area. The CRA Board, after receiving public input relative to a report on RFP No. CRA001 at its August 23, 2005 meeting accepted the staff recommendation to reject the sole proposal that was received in response to the RFP and directed staff to review and determine if there was appropriate justification for a waiver of the competitive process.

Notification and distribution relative to RFP No. CRA-001 was achieved nationally in the March 21, 2005 issue of Automotive News - this publication claims an 80% readership in the entire automotive industry. The South Florida Automotive Dealers Association's publication of March 21, 2005 provided the vehicle for a regional distribution of the ad for the RFP. Further, a March 10, 2005 ad in the Miami Herald, in addition to posting on the OCED web-site, supplemented with telephone calls and mail outs to local automotive enterprises, provided for extensive noticing and distribution of the RFP.

Inquiries regarding the RFP were received from several individuals and enterprises throughout the country. The vast majority however, were interested in offering consultant services for the development project to the County and/or the successful proposer. Only two inquiries were directly related to responding to the RFP. Discussions with Rick Baker, Director, South Florida Automotive Dealers

Association suggested that responses to the RFP could be limited because a franchisee outside of the South Florida could only participate if the franchisee has a South Florida franchisee partner.

As part of an ongoing effort to evaluate the solicitation process relative to RFP CRA001, staff has contacted several interested parties for follow-up comments. The follow-up process involved telephone calls to five (5) industry sources – four (4) of whom responded - representing a diversity of interest, all with the capacity to respond to the RFP. Staff's research has revealed that, even if the minimum threshold requirement to have three (3) distribution rights at the time of submission had been removed from the RFP, there is a reasonable expectation that there would likely have been no additional responses to RFP No. CRA001. Consequently, staff considers it in the best interest of the CRA Board to waive the formal bid procedures in RFP CRA001 and authorize negotiations with Potamkin Development I-95 LLC.

In general, the factors that contributed most to staff's recommendation was the often stated position of the industry experts contacted, that the challenge of putting partnerships together with automotive distribution rights that do not violate both state and manufacturer territorial rights, in addition to obtaining manufacturer approval for relocation of franchises, are challenges that would generally require 12 to 18 months to negotiate. It was also noted that NW 7th Avenue Corridor within the area of the development project, does not currently provide the commercial and economic environment to support a growing automotive sales market. Neither does its demographics in terms of income, family size, homeownership rate and level of security, meet the criterion that original equipment manufacturers have established to justify new investment in automotive franchises. Potamkin Development I-95 LLC's proposal addresses the majority of the stated challenges, such as franchisee rights, redevelopment of the entire project area – to include security, the appropriate mix of nameplates for the market, and accessing I-95 frontage to expand potential automobile sales.

A summary of comments made by the four individuals contacted during our research and which forms the basis of our recommendation to authorize negotiations follows:

- **Bill Cash President/CEO, Fitzgerald Auto Mall, Rockville MD. [Manages 10 Auto Malls]**
(301) 881-4000. (08/24/05)
 - Was not interested, because the project is located outside of his geographic area of concentration.
 - There are few organizations in the country with the financial capacity and distribution rights to undertake project
 - Not involved in the construction of auto malls; only in the operation and management [...we shop developers to build our auto malls]

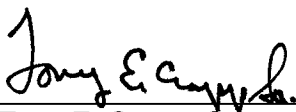
- **Tom Bolf. Esq. – Holman Enterprises – Ft. Lauderdale, FL (954) 527 – 2474 (08/24/05)**
 - Issues are not with RFP, but with nature of the industry.
 - Manufacturer territorial assignments and state regulations had greater influence on the number of respondents than the RFP; cannot pigeon-hole a dealership into a territory
 - Florida – one of 37 states that limits location of similar name plate within a 12 ½ mile radius for a population greater than 300,000

- Success depends on creating an environment that would energize the market for new car sales and not depend on the immediate surrounding community only. Major contributing factor is the frontage of I-95, which will provide exposure to high traffic volume. Other requirements of the auto mall is that it must be:
 - Safe /secure
 - Controlled
 - Name plates that the market can absorb (low and midrange)

- **Metropolitan Properties Inc. (Auto Mall Developers), Birmingham, AL– Robert Gotlieb (205) 969-3108 (08/24/05)**
 - Acreage (30 acres) too small for the size of projects this company prefers. Generally, look at projects with 125+ acres.
 - Demographics indicate that area best suited for “department store” type nameplates e.g. Chrysler/dodge/jeep; franchises already exist within the territorial boundaries; manufacturer franchise agreements dictate where nameplates are located
 - Visibility to I-95 (and access) would be tremendous benefit; expands market to people within a drive time of 1½ hours (generally, 50% of car buyers shop within a 3-mile radius of their home, while 50% drive all over town)
 - Will work because of synergy of several name-plates
 - This is how autos will be sold in the future (auto/financing/insurance all in one)

- **Glen Gardner, V.P. Southern Operations (Holman Enterprises – 25 Franchises) (954) 523-7307 (08/29/05)**
 - Considered responding to RFP. Initially excited about concept; however would have taken 12-18 months to negotiate franchisee agreements
 - Elected to become one of the franchisees in the Auto-mall
 - Considers project viable with appropriate mix of name-plates which based on those identified in the Potamkin response will be adequate to support the market.

As a result of the research conducted, staff has concluded that reasonable justification exists for a waiver of the competitive process.



Tony E. Crapp, Sr.
Assistant CRA Executive Director

Resolution No. _____

RESOLUTION WAIVING THE PROVISIONS OF RFP NO. CRA-001 REQUIRING COMPETITIVE BIDS FOR THE NW 7TH AVENUE CORRIDOR DEVELOPMENT PROJECT; AUTHORIZING THE EXECUTIVE DIRECTOR OF THE NW 7TH AVENUE COMMUNITY REDEVELOPMENT AGENCY (CRA) OR HIS DESIGNEE TO NEGOTIATE A DEVELOPMENT AGREEMENT WITH POTAMKIN DEVELOPMENT I-95 LLC FOR THE DEVELOPMENT PROJECT; REQUIRING THE EXECUTIVE DIRECTOR OR HIS DESIGNEE TO OBTAIN THE CRA BOARD'S APPROVAL PRIOR TO THE EXECUTION OF ANY NEGOTIATED DEVELOPMENT AGREEMENT

WHEREAS, on March 1, 2005 the Board of Commissioners of the NW 7th Avenue Community Redevelopment Agency (the CRA Board) adopted Resolution CRA 1-05, which authorized the issuance of a request for proposals (RFP) to develop a retail auto mall within the boundaries of the NW 7th Avenue Corridor Community Redevelopment Area as a Primary Redevelopment Project in accordance with the NW 7th Avenue Corridor Redevelopment Plan and to establish an evaluation/selection committee for RFP No. CRA-001; and

WHEREAS, on March 29, 2005 the Miami-Dade County Office of Community and Economic Development (OCED) issued the RFP on behalf of the NW 7th Avenue Corridor Community Redevelopment Agency; and

WHEREAS, OCED received responses from one (1) vendor, Potamkin Development I-95 LLC; and

WHEREAS, on July 8, 2005 the evaluation/selection committee after some deliberation, requested an opinion of the County Attorney's Office (CAO) on the responsiveness of the sole proposal received to Section 3.2 (6)(b) – Development Plan/Vision and , and Section 3.2 (7) – Financial Capability of the RFPI; and

WHEREAS, the CAO, upon review of the proposal, opined that the proposal was non-responsive to the RFP's minimum qualification requirement that the proposer, at the time of submission, have at least three (3) distribution rights for the territory within the Primary Redevelopment Project Area; and

WHEREAS, during the meeting of the CRA Board on August 23, 2005 the Board approved a report on the selection process relative to the RFP that recommended the rejection of the single proposal that was received in response to the issuance of RFP CRA001; and

WHEREAS, the CRA Board, desires to waive the provisions of the RFP requiring competitive bids; and

WHEREAS, the CRA Board, desires to authorize negotiations with Potamkin Development I-95 LLC for a development agreement relative to the Primary Redevelopment Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF NW 7TH AVENUE CORRIDOR COMMUNITY REDEVELOPMENT AGENCY (CRA), that this Board:

Section 1. Finds it is in the best interest of NW 7th Avenue Corridor CRA to waive the formal bid procedures contained in RFP No. CRA001.

Section 2. Authorizes the Executive Director of the CRA to negotiate and prepare a development agreement on behalf of the CRA Board, subject to review and approval by the County Attorney's Office.

Section 3. Requires the Executive Director to present to the negotiated development agreement with Potamkin Development I-95 LLC to the CRA Board for approval prior to execution.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Dennis C. Moss, Vice-Chairman

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Dorin D. Rolle
Katy Sorenson
Sen. Javier D. Souto

Dr. Barbara Carey-Shuler
Carlos A. Gimenez
Barbara J. Jordan
Natacha Seijas
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of September, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

7TH AVENUE CORRIDOR
COMMUNITY REDEVELOPMENT AGENCY
BOARD OF COMMISSIONERS

Approved by County Attorney as
to form and legal sufficiency. 200

BY: _____
Deputy Clerk

Terrence A. Smith

REQUEST FOR PROPOSALS
FOR
NW 7th Avenue Corridor Development Project
RFP No. CRA001

PRE-PROPOSAL CONFERENCE TO BE HELD ON
April 1, 2005 at 1 PM (Local Time)
at
111 NW 1st Street, 18th Floor, Conf. Rm. 18-1
Miami, Florida

ISSUING DEPARTMENT:
Office of Community and Economic Development
For
NW 7th Avenue Community Redevelopment Agency Board
Contact Person: Rick Glasgow
Telephone: (305) 375-3418
E-mail: Glasgow@miamidade.gov

PROPOSALS ARE DUE AT THE ADDRESS SHOWN BELOW
NO LATER THAN
Friday, April 29, 2005 at 2:00 PM (Local Time)
at
CLERK OF THE BOARD
STEPHEN P. CLARK CENTER
111 NW 1st STREET, 17TH FLOOR, SUITE 202
MIAMI, FLORIDA 33128-1983

PROPOSALS WILL BE OPENED PROMPTLY AT THE TIME AND PLACE SPECIFIED. PROPOSALS RECEIVED AFTER THE FIRST PROPOSAL HAS BEEN OPENED WILL NOT BE OPENED AND WILL NOT BE CONSIDERED. THE RESPONSIBILITY FOR SUBMITTING A PROPOSAL TO THE CLERK OF THE BOARD ON OR BEFORE THE STATED TIME AND DATE IS SOLELY AND STRICTLY THE RESPONSIBILITY OF THE PROPOSER. MIAMI-DADE COUNTY IS NOT RESPONSIBLE FOR DELAYS CAUSED BY ANY MAIL, PACKAGE OR COURIER SERVICE, INCLUDING THE U.S. MAIL, OR CAUSED BY ANY OTHER OCCURRENCE.

MIAMI-DADE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER AND DOES NOT
DISCRIMINATE BASED ON AGE, GENDER, RACE OR DISABILITY.

VISIT THE COUNTY OFFICE OF COMMUNITY AND ECONOMIC DEVELOPMENT WEBSITE:
[HTTP://WWW.MIAMIDADE.GOV/CED](http://www.miamidade.gov/ced)

REV. 2/17/05

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DEFINITIONS

The following words and expressions used in this solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

- a) The words "Contractor" or "Consultant" to mean the Proposer that receives any award of a Contract from the County as a result of this Solicitation, which is also to be known as "the prime Contractor" or "the prime Consultant".
- b) The word "County" to mean Miami-Dade County, a political subdivision of the State of Florida.
- c) The word "Department" to mean Office of Community and Economic Development.
- d) The words "Proposer", "Submitter" or "Respondent" to mean the person, firm, entity or organization submitting a response to this Solicitation.
- e) The words "Scope of Services" or "Scope of Work" to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor or Consultant.
- f) The word "Solicitation" to mean this Request For Proposal (RFP) or Request For Qualification (RFQ) or Request For Information (RFI) document, and all associated addenda and attachments.
- g) The words "Subcontractor" or "Subconsultant" to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Work or Services to the County, whether directly or indirectly, on behalf of the Contractor.
- h) The words "Work", "Services", "Program", "Project" or "Engagement" to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services and the terms and conditions of this Solicitation.
- i) The words "Work Order" to mean a document that defines and describes the parameters of individual projects assigned or awarded by the County to the Contractor in accordance to the terms of the Contract.
- j) The words "CRA Board" to mean the Miami-Dade County Board of County Commissioner serving as the NW 7th Ave Community Redevelopment Agency Board of Commissioners
- k) The words "Distribution Rights" to mean Original Equipment Manufacturer (OEM) franchise distribution rights
- l) The words "Private Development Investment (PDI)" means private sector funds invested in the Primary Redevelopment Project to cover the cost of land, improvements and construction
- m) The words "Public Investment/Subsidy (PI/S)" means funds that the Primary Redevelopment Project requires as investments from Miami-Dade County and the CRA Board, whether for infrastructure construction or for subsidies to purchase land or cause improvements and construction to occur.

SECTION 1.0 - RFP OVERVIEW AND PROPOSAL PROCEDURES

1.1 OVERVIEW

Florida law requires that before a county or municipality can exercise its community redevelopment authority it must make a legislative finding, supported by data and analysis, that the conditions in an area constitute slum or blight. In 2004, the Miami-Dade Board of County Commissioners (BCC) exercised this authority pursuant to Chapter 163 of the Florida Statutes and made such a finding of necessity. On March 16, 2004, the BCC found that area known as the NW 7th Avenue Corridor constituted a slum or blighted area in which there is a shortage of affordable housing for low and moderate income residents, including the elderly; and the rehabilitation, conservation, or redevelopment, or a combination thereof, of the area, is necessary in the interest of the public health, safety, morals, or welfare of the residents of the Miami-Dade County. Accordingly, the BCC created by resolution the NW 7th Avenue Community Redevelopment Agency (CRA) and appointed itself as the interim CRA Board. On June 22, 2004, the CRA's Community Redevelopment Plan was approved and adopted by BCC. The CRA Board is pleased to invite proposals from qualified entities for the redevelopment of the NW 7th Avenue Corridor, consistent with the Miami-Dade County Board of County Commissioners approved NW 7th Avenue Corridor Community Redevelopment Plan.

Comment: Terrence's Note: There should be an explanation as to who the CRA Board is, how and when they were created and its purpose.

The 7th Avenue Corridor Redevelopment Area boundary is generally defined as NW 7th Avenue from 79th Street on the South, to NW 119th Street on the North. The Eastern boundary is Interstate 95 and the westernmost property line of all those parcels of land that abut the westerly right of way line of NW 7th Avenue. This predominantly commercial strip is zoned mostly for retail and services uses.

The CRA Board has established an area from NW 79th Street to NW 95th Street as the boundaries of the initial area for redevelopment, with the **Primary Redevelopment Project** being a new car automotive marketing, sales and distribution center. As the primary focus of the redevelopment strategy offered in the redevelopment plan, the CRA Board shall undertake a major initiative to revitalize this area by embracing the auto retail business sector, which enhancement will contribute to the stabilization of the area. The historical significance of this site underscores the vital need to rescue it from its current decline due to its dated auto retail infrastructure. The completion of the Primary Redevelopment Project alone would make a major positive impact upon the redevelopment area and the nearby community.

Proposers are invited to submit proposals for the planning and design, land acquisition, construction, acquisition of required permits and approvals, leasing and management, and all other tasks and responsibilities related to developing, maintaining and managing the development. (Details of the proposed redevelopment area are included in the attached Community Redevelopment Plan.) It should be noted that the properties considered for the Primary Redevelopment Project are privately owned, thus requiring developer to implement a significant land acquisition plan with limited assistance by the CRA. The CRA's Community Redevelopment Plan considers assisting the project with public funding up to a maximum amount of approximately \$20 million, in a form yet to be determined. Refer to section 2.0, Scope of Services for further details.

The County, on behalf of the CRA Board, is seeking proposals from experienced developers and/or operators with a proven track record of undertaking and successfully accomplishing auto retail business developments of similar scope, cost and complexity. Additionally, the selected Proposer shall have distribution rights, necessary to make this initiative realistic and attainable. Previous experience in developing and managing the ongoing operations of comparable projects will be a factor in the evaluation of proposals. The CRA Board may evaluate previous experience of each member of the development team. The Proposer must have the requisite authority to submit the proposal and negotiate and execute any resulting agreement(s).

Proposals should offer redevelopment within the Primary Redevelopment Project area to its highest and best use within the framework of an auto retail business. The proposed project must provide functional and

aesthetic integration of the surrounding area, and must comply with all applicable local, state and federal regulations, construction codes and design guidelines.

It is the intent of this project, once fully developed, to generate an estimated four hundred (400) high paying jobs with an average salary of \$49,000.00 per year, as described in the NW 7th Avenue Corridor Community Redevelopment Plan. The anticipated annual payroll from these jobs is approximately \$20 million dollars per year. In addition, a successful Auto Mall of the size projected for the Primary Redevelopment Project is expected to contribute approximately \$60 million to the ad valorem tax roll by project buildout.

The CRA Board has delegated its responsibilities of administering this RFP process to Miami-Dade County.

1.2 RFP TIMETABLE

The anticipated schedule for this RFP and contract approval is as follows:

RFP available for distribution:	March 10, 2005
Pre-Proposal Conference:	April 1, 2005, at 1 p.m. (Local Time)
Location:	111 NW 1 st Street, 18 th Floor, Conf. Rm. 18-1
Deadline for receipt of questions:	April 8, 2005
Deadline for receipt of proposals:	Friday, April 29, 2005 at 2:00 p.m. (Local Time) (See Section 1.4 for location)
Evaluation/Selection process:	May 2005
Oral presentations, if conducted:	May 2005
Approval to negotiate:	May 31, 2005
Projected contract start date:	July 31, 2005

1.3 RFP AVAILABILITY

The solicitation package is available at no cost on-line at www.miamidade.gov/CED

Proposers or Respondents who obtain copies of this Solicitation from sources other than the County's website risk the potential of not receiving addenda, since their names will not be included on the list of firms participating in the process for this particular Solicitation. Such Proposers or Respondents are solely responsible for those risks (see Section 1.8).

1.4 PROPOSAL SUBMISSION

All proposals must be submitted on 8 1/2" X 11" paper, neatly typed on one side only, with normal margins, and spacing. The original document package must not be bound and the document package copies should be individually bound. **An unbound one-sided original and 10 bound copies (a total of 11) of the complete proposal must be received by the deadline for receipt of proposal specified in this RFP Timetable (see Section 1.2).** The original and all copies must be submitted in a sealed envelope or container stating on the outside the Proposer's name, address, telephone number, the RFP number, RFP title, and Proposal Due Date to:

**Clerk of the Board
Stephen P. Clark Center
111 NW 1st Street, 17th Floor, Suite 202**

Miami, FL 33128-1983

Hand-carried proposals may be delivered to the above address **ONLY** between the hours of 8:00 a.m. and 4:30 p.m., Mondays through Fridays (however, please note that proposals are due at the Clerk of the Board on the date and at the time indicated in Section 1.2. Additionally, the Clerk of the Board is closed on holidays observed by the County). Proposers are responsible for informing any commercial delivery service, if used, of all delivery requirements and for ensuring that the required address information appears on the outer wrapper or envelope used by such service.

The proposal must be signed by an authorized officer of the Proposer who is legally authorized to enter into a contractual relationship in the name of the Proposer. The submittal of a proposal by a Proposer will be considered by the County as constituting an offer by the Proposer to perform the required services at the stated prices.

1.5 PRE-PROPOSAL CONFERENCE

A pre-proposal conference has been scheduled for **the date, time and place specified in this RFP Timetable (see Section 1.2)**. Attendance is recommended but not mandatory. Proposers are requested to inform the RFP Contact Person of the number of persons expected to attend no later than 24 hours before the scheduled date. Proposers are encouraged to submit any questions in writing to the RFP Contact Person in advance of the pre-proposal conference.

If you need a sign language interpreter or materials in accessible format for this event please call Jason Martinez, DPM ADA Coordinator at (305) 375-1564 at least five days in advance.

1.6 CONTACT PERSON

The Contact Person for this RFP is:

Name and Title: Rickert Glasgow
Name of Agency: Office of Community and Economic Development
Address: 140 W. Flagler Street, Suite 1000
Miami, Florida 33130
Telephone: (305) 375-3418
Fax: (305) 372-6304
e-mail: Glasgow@miamidade.gov

1.7 ADDITIONAL INFORMATION/ADDENDA

Requests for additional information or clarifications must be made in writing and received by the County's Contact Person for this RFP, in accordance with **Section 1.6** above, no later than the deadline for receipt of questions specified in the RFP Timetable (**see Section 1.2**). The request must contain the RFP number and title, Proposer's name, name of Proposer's contact person, address, phone number, and facsimile number.

Electronic facsimile requesting additional information will be received by the RFP Contact Person at the fax number specified in **Section 1.6** above. Facsimiles must have a cover sheet which includes, at a minimum, the Proposer's name, name of Proposer's contact person, address, number of pages transmitted, phone number, facsimile number, and RFP number and title.

The County, on behalf of the CRA Board, will issue responses to inquiries and any other corrections or amendments it deems necessary in written addenda issued prior to the Proposal Due Date. Proposers should not rely on any representations, statements or explanations other than those made in this RFP or in any written addendum to this RFP. Where there appears to be conflict between the RFP and any addenda issued, the last addendum issued shall prevail.

It is the Proposer's responsibility to assure receipt of all addenda. The Proposer should verify with the designated Procurement Contact Person prior to submitting a proposal that all addenda have been received. Proposers are required to acknowledge the number of addenda received as part of their proposals (**see attached Form A-2**).

Proposers who obtain copies of this RFP from sources other than the County's website risk the potential of not receiving addenda, since their names will not be included on the Vendor List for this particular RFP. Such Proposers are solely responsible for those risks.

1.8 MODIFIED PROPOSALS

A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the Proposal Due Date. The Evaluation/Selection Committee will only consider the latest version of the proposal.

1.9 WITHDRAWAL OF PROPOSALS

Proposals shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County Contact Person for this RFP (in accordance with **Section 1.6**), prior to the Proposal Due Date or upon the expiration of ONE HUNDRED EIGHTY (180) calendar days after the opening of proposals.

1.10 LATE PROPOSALS, LATE MODIFICATIONS AND LATE WITHDRAWALS

Proposals received after the Proposal Due Date are late and will not be considered. Modifications received after the Proposal Due Date are also late and will not be considered. Letters of withdrawal received either after the Proposal Due Date, or after contract award, whichever is applicable, are late and will not be considered.

Proposals will be opened promptly at the time and place specified. Proposals received after the first proposal has been opened will not be opened and will not be considered. The responsibility for submitting a proposal to the Clerk of the Board on or before the stated time and date is solely and strictly the responsibility of the Proposer. Neither the CRA Board nor Miami-Dade County is responsible for delays caused by any mail, package or couriers service, including the U.S. mail, or caused by any other occurrence.

1.11 RFP POSTPONEMENT/CANCELLATION

The County, acting on behalf of the CRA Board and at its sole and absolute discretion, may reject any and all, or parts of any and all proposals; re-advertise this RFP; postpone or cancel, at any time, this RFP process; or waive any irregularities in this RFP or in the proposals received as a result of this RFP.

1.12 COSTS INCURRED BY PROPOSERS

All expenses involved with the preparation and submission of proposals to the CRA Board, or any work performed in connection therewith, shall be borne by the Proposer(s). No payment will be made for any responses received, nor for any other effort required of or made by the Proposer(s) prior to commencement of work as defined by a contract approved by the CRA Board.

1.13 ORAL PRESENTATIONS

The CRA Board through the County may require Proposers to give oral presentations in support of their proposals or to exhibit or otherwise demonstrate the information contained therein. If required, the presentations are anticipated to be conducted on the date indicated in this **RFP Timetable (see Section 1.2)**.

1.14 EXCEPTION TO THE RFP

Proposers may take exceptions to any of the terms of this RFP unless the RFP specifically states where exceptions may not be taken. All exceptions taken must be specific, and the Proposer must indicate clearly

what alternative is being offered to allow the County a meaningful opportunity to evaluate and rank proposals, and the cost implications of the exception (if any).

Where exceptions are taken, the CRA Board through the County shall determine the acceptability of the proposed exceptions. The County, after completing evaluations, may accept or reject the exceptions. Where exceptions are rejected, the County may insist that the Proposer furnish the services or goods described herein or negotiate an acceptable alternative.

All exceptions shall be referenced by utilizing the corresponding Section, paragraph and page number in this RFP. However, the County is under no obligation to accept any exceptions. If no exception is stated, the CRA Board will assume that the Proposer will accept all terms and conditions.

1.15 PROPRIETARY/ CONFIDENTIAL INFORMATION

Proposers are hereby notified that all information submitted as part of, or in support of, proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Record Law."

The Proposer shall not submit any information in response to this solicitation, which the Proposer considers to be a trade secret, proprietary or confidential. The submission of any information to the County in connection with this solicitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to Proposer. In the event that the Proposer submits information to the County in violation of this restriction, either inadvertently or intentionally, and clearly identifies that information in the proposal as protected or confidential, the County shall endeavor to redact and return that information to the Proposer as quickly as possible, and if appropriate, evaluate the balance of the proposal. The redaction or return of information pursuant to this clause may render a proposal nonresponsive.

1.16 NEGOTIATIONS

The CRA Board may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the Proposer's best terms from a monetary and technical standpoint.

The CRA Board reserves the right to enter into contract negotiations with the recommended Proposer. If the CRA Board and the recommended Proposer cannot negotiate a successful contract, the CRA Board may terminate said negotiations and begin negotiations with another recommended Proposer. This process will continue until a contract acceptable to the CRA Board has been executed or all proposals are rejected. No Proposer shall have any rights against the CRA Board or County arising from such negotiations or termination thereof.

1.17 RULES, REGULATIONS AND LICENSING REQUIREMENTS

The Proposer shall comply with all laws, ordinances and regulations applicable to the services contemplated herein, especially those applicable to conflict of interest and collusion. Proposers are presumed to be familiar with all Federal, State and local laws, ordinances, codes, rules and regulations that may in any way affect the goods or services offered, especially Executive Order No. 11246 entitled "Equal Employment Opportunity" and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41

CFR, Part 60), the Americans with Disabilities Act of 1990 and implementing regulations, the Rehabilitation Act of 1973, as amended, Chapter 553 of Florida Statutes and any and all other local, State and Federal directives, ordinances, rules, orders, and laws relating to people with disabilities.

1.18 REVIEW OF PROPOSALS FOR RESPONSIVENESS

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the RFP. A responsive proposal is one which follows the requirements of the RFP, includes all documentation, is submitted in the format outlined in the RFP, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in a proposal being deemed non-responsive.

1.19 BANKRUPTCY

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be non-responsive.

1.20 ORDINANCES, RESOLUTIONS AND/OR ADMINISTRATIVE ORDERS

To request a copy of any ordinance, resolution and/or administrative order cited in this Solicitation, the Proposer must contact the **Clerk of the Board at (305) 375-5126**.

1.21 PUBLIC ENTITY CRIMES

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO (\$10,000) for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.22 RIGHTS OF PROTEST

A recommendation for contract award or rejection of all proposals may be protested by a Proposer.

As a condition of initiating any protest, the protester shall present to the Clerk of the Board a non-refundable filing fee payable to the Clerk of the Board in accordance with the schedule provided below.

<u>Award Amount</u>	<u>Filing Fee</u>
\$25,001- \$100,000	\$500
\$100,001- \$500,000	\$1,000
\$500,001- \$5 million	\$3,000
over \$5 million	\$5,000

Any question, issue, objection or disagreement concerning, generated by, or arising from the published requirements, terms, conditions or processes contained or described in the solicitation document shall be deemed waived by the protester and shall be rejected as a basis for a protest unless it was brought by that Proposer to the attention, in writing, of the procurement agent, buyer, contracting officer or other contact person in the County department that issued the solicitation document, at least two working days (not less than 48 hours) prior to the hour of the due date for proposal submission.

The foregoing notwithstanding, the protest may not challenge the relative weight of the evaluation criteria or the formula specified for assigning points therefore contained in the request for proposals ("RFP") or request for qualifications ("RFQ") specifications.

All protests shall be submitted in writing to the Clerk of the Board. The protest shall state with particularity the specific facts and grounds on which it is based, and shall include all pertinent documents and evidence and shall be accompanied by the corresponding filing fee. This shall form the basis for review of the protest and no other facts, grounds, documentation or evidence not contained in the protester's submission to the Clerk of the Board at the time of filing the protest shall be permitted in the consideration of the protest, except for such additional evidence as is allowed during the course of the protest proceedings.

Award recommendations for any contract executed as a result of this RFP will be in writing, signed by the issuing department, Office of Community and Economic Development, to each competing Proposer announcing the recommended award, and a copy shall be deposited with the Clerk of the Board on the same day it is mailed. Any protest by a Proposer must be filed with the Clerk of the Board within ten (10) working days of the date of the award recommendation letter. Within two (2) working days of that filing, the protester shall supply the CRA's Attorney and each Proposer in the competitive process with a true copy of each document that was filed with the protest. A hearing examiner shall be appointed to hear the protest and submit a written report and recommendation to the CRA Board within twenty (20) working days of the filing of the protest (maximum 25 working days if hearing examiner consents to extension request). The CRA Board shall consider the report and recommendation of the hearing examiner and shall render a final decision concerning the award within ten (10) days of receipt of said report and recommendation.

Failure to timely file any written protest shall constitute a waiver of the right to protest the award recommendation.

SECTION 2.0 - SCOPE OF SERVICES

2.1 INTRODUCTION/BACKGROUND

The Miami Dade County BCC in its capacity as the NW 7th Avenue Community Redevelopment Agency Board is pleased to invite proposals from qualified entities for the partial redevelopment of the NW 7th Avenue Corridor, consistent with the adopted NW 7th Avenue Corridor Community Redevelopment Plan.

Florida law requires that before a county or municipality can exercise its community redevelopment authority it must make a legislative finding, supported by data and analysis, that the conditions in an area constitute slum or blight. In 2004, the Miami-Dade Board of County Commissioners (BCC) exercised this authority pursuant to Chapter 163 of the Florida Statutes and made such a finding of necessity. On March 16, 2004, the BCC found that area known as the NW 7th Avenue Corridor constituted a slum or blighted area in which there is a shortage of affordable housing for low and moderate income residents, including the elderly; and the rehabilitation, conservation, or redevelopment, or a combination thereof, of the area, is necessary in the interest of the public health, safety, morals, or welfare of the residents of the Miami-Dade County. Accordingly, the BCC created by resolution the NW 7th Avenue Community Redevelopment Agency (CRA) and appointed itself as the interim CRA Board (CRA Board). On June 22, 2004, the CRA's Community Redevelopment Plan was approved and adopted by BCC. The CRA Board is please to invite proposals from qualified entities for the redevelopment of the NW 7th Avenue Corridor, consistent with the Miami-Dade County Board of County Commissioners approved NW 7th Avenue Corridor Community Redevelopment Plan.

The 7th Avenue Corridor Redevelopment Area boundary is generally defined as NW 7th Avenue from NW 79th Street on the South, to NW 119th Street on the North. The Eastern boundary is Interstate 95 and the western boundary is the westernmost property line of all those parcels of land that abut the westerly right of way line of NW 7th Avenue. This predominantly commercial strip is zoned mostly for retail and services uses.

The CRA Board has established an area from NW 79th Street to NW 95th Street as the boundaries of the initial area for redevelopment, with the **Primary Redevelopment Project** being a new car automotive marketing, sales and distribution center. As the primary focus of the redevelopment strategy offered in the redevelopment plan, the CRA Board shall undertake a major initiative to revitalize this area by embracing the auto retail business sector, whose enhancement will contribute to the stabilization of the area. The historical significance of this site underscores the vital need to rescue it from its current decline due to its dated auto retail infrastructure. The completion of the Primary Redevelopment Project alone would make a major positive impact upon the redevelopment area and the nearby community.

Proposals should offer redevelopment within the Primary Redevelopment Project area to its highest and best use within the framework of an auto retail business. The proposed project must provide functional and aesthetic integration of the surrounding area, and must comply with all applicable local, state and federal regulations, construction codes and design guidelines.

A. OBJECTIVES

The CRA Board is offering the Primary Redevelopment Area (the 7th Avenue Commercial Corridor between 79th Street and 95th Street along NW 7th Avenue) for development with the intended goals of re-energizing the faltering commercial district, reducing crime, improving the appearance of the area and the quality of life for those who live in and around the area. Consistent with this goal, the CRA Board will work with the private sector, financial institutions and interested investors to the fullest extent it deems reasonable, to facilitate the maximum investment of private funds brought by the selected proposer in the redevelopment area.

It is the intent of this project, once fully developed, to generate an estimated four hundred (400) high paying jobs with an average salary of \$49,000.00 per year, as described in the 7th Avenue Corridor Community

Redevelopment Plan. The anticipated annual payroll from these jobs is approximately \$20 million dollars per year. In addition, a successful Auto Mall of the size projected for the Primary Redevelopment Project will contribute at least \$60 million to the ad valorem tax roll by project buildout.

2.2 REQUIRED SERVICES

A. TASKS

The redevelopment project for the Primary Redevelopment Area, shall be an auto retail business and shall consist of the planning and design, land acquisition, construction, acquisition of required permits and approvals, leasing and management, and all other tasks and responsibilities related to developing, maintaining and managing the development.

The approximate acreage of the site that will be assembled is between 25 and 30 acres. The exact properties that will be acquired will be subject to approval of the CRA Board and the Miami-Dade County Commission, and will be contingent upon the terms and conditions of a negotiated development agreement between the CRA Board and the selected Proposer (private development entity).

It is projected that the selected Proposer could include six automobile dealerships can be included within the Primary Redevelopment Project site. These dealerships would average 25,000 – 30,000 square feet in size. The redevelopment project will include land acquisition, infrastructure improvements, right-of-way improvements, street furniture and must utilize Urban Design Guiding Principles. Other development tools to be utilized in the Primary Redevelopment Project should be noted in the attached 7th Avenue Corridor Community Redevelopment Plan. It should be noted that the properties considered for the Primary Redevelopment Project are privately owned, thus requiring developer to implement a significant land acquisition plan with limited assistance by the CRA. The CRA's Community Redevelopment Plan considers assisting the project with public funding up to a maximum amount of approximately \$20 million, in a form yet to be determined. The Plan further states that a budget priority for CRA expenditures to generate the desired benefits are about \$16million for Land Acquisition Costs, \$1million for Landscape/Streetscape/Police substation, \$1million for implementation and professional services costs, and \$2million for Contingencies.

B. QUALIFICATIONS

The CRA Board anticipates that the selected Proposer shall be an experienced developer and/or operator with a proven track record of undertaking and successfully accomplishing auto retail business developments of similar scope, cost and complexity. Additionally, the selected Proposer shall have Distribution Rights necessary to make this initiative realistic and attainable. Previous experience in developing and managing the ongoing operations of comparable projects will be a factor in the evaluation of proposals. The CRA Board may evaluate previous experience of each member of the development team. The Proposer must have the requisite authority to submit the proposal and negotiate and execute any resulting agreement(s).

The minimum qualification requirement is: The Proposer shall, at the time of proposal submission, have at least three (3) Distribution Rights for the territory within the Primary Redevelopment Project area.

SECTION 3.0 - PROPOSAL FORMAT

3.1 INSTRUCTIONS TO PROPOSERS

Proposers should carefully follow the format and instructions outlined below, observing format requirements where indicated. All materials (except for plans and schematics, if any) are to be submitted on 8 1/2" X 11" pages, neatly typed on one side only, with normal margins and spacing. All documents and information must be

fully completed and signed as required. The original document package must not be bound. The document package copies should be individually bound. Proposals that do not include the required documents may be deemed non-responsive and may not be considered for contract award.

3.2 CONTENTS OF PROPOSAL

The proposal must consist of Technical Proposal as follows:

The Proposal shall be written in sufficient detail to permit the CRA Board to conduct a meaningful evaluation of the proposed services. The Proposal must include the following information:

1) Cover Page

The attached **Form A-1** is to be used as the cover page for the Proposal. This form must be fully completed and signed by an authorized officer of the Proposer submitting the proposal.

2) Table of Contents

The table of contents should outline in sequential order the major areas of the proposal. All pages of the proposal, including the enclosures, must be clearly and consecutively numbered and correspond to the table of contents.

3) Executive Summary

Provide a brief summary describing:

- (a) the Proposer's ability to perform the work requested in this RFP;
- (b) a history of the Proposer's background and experience in providing similar services;
- (c) the qualifications of the Proposer's personnel to be assigned to this project;
- (d) the subcontractors or subconsultants and a brief history of their background and experience; and
- (e) any other information called for by this RFP which the Proposer deems relevant, including any exceptions to this RFP.

~~This summary should be brief and concise to advise the reader of the basic services offered, experience and qualifications of the Proposer, staff, subcontractors or subconsultants and any other relevant information.~~

4) Minimum Qualification Requirement

The minimum qualification requirement for this RFP is:

The Proposer shall, at the time of proposal submission, have at least three (3) Distribution Rights for the territory within the Primary Redevelopment Project area.

5) Automotive Distribution Rights

- a) Provide Distribution Rights agreements with automakers for dealerships in the Primary Redevelopment Project area beyond those required in section 4 above.
- b) Describe any Distribution Rights in addition to those required in section 4 above and section 5(a) above that the Proposer may be able to obtain for this project.

6) Development Plan/Vision

- (a) Describe Proposer's project plan, methodology and recommended solutions in performing the services described in the Scope of Services (**see Section 2.0**), and describe Proposer's specific policies, plans, procedures or techniques to be used in providing the services to be performed. The Proposer shall describe its approach to project organization and management, responsibilities of Proposer's management and staff personnel that will perform work in this project.
- (b) Provide a development timeline identifying specific key tasks, and duration, including detailed timeline for purchase and development.
- (c) Describe how proposer's proposed plan meets the requirements of the Scope of Services described in Section 2.0, or if the plan will meet the requirements with modifications (explain how), or cannot provide the requirements.
- (d) Describe how the proposed development plan implements the CRA's redevelopment concept for the retail auto mall.
- (e) Describe how the proposed development plan will generate over 400 non-exportable, high paying, permanent jobs with an average salary of \$49,000 per year after the project is completed.
- (f) Describe how the proposed development plan will contribute to the ad valorem tax roll and eliminate slum and blight from the area.

7) Financial Capability

Describe Proposer's financial plan and capability and include:

- Proposed Capital Investment by developer, estimated public infrastructure needs, and requested CRA Board assistance or subsidies, if any. Attach completed Form B-1.
- Development pro-forma, including estimates for total investments and detailed sources and uses of funds.
- Five-year post-development operating pro-forma
- Proposed financial structure for the developer (e.g. debt, equity or other structures)
- Three-year audited financial statements of developer
- Planned land acquisition strategies, preferably parcel specific
- Proposed relocation strategies for existing business on land to be acquired
- Copy of commitment letter from lending institution.

8) Proposer's Experience and Past Performance

- (a) Describe the Proposer past performance and experience and state the number of years that the Proposer has been in existence, the current number of employees, and the primary markets served.
- (b) Provide a detailed description of comparable contracts (similar in scope of services to those requested herein) which the Proposer has either ongoing or completed within the past three years. The description should identify for each project: (i) the client, (ii) description of work, (iii) total dollar value of the contract, (iv) contract duration, (v) customer contact person and phone number for reference, (vi) statement or notation of whether Proposer is/was the prime contractor or subcontractor or subconsultant, and (vii) the results of the project. Where possible, list and describe those projects performed for government clients or similar size private entities and any work performed for the County.
- (c) List all contracts which the Proposer has performed for Miami-Dade County. The CRA Board will

review all contracts the Proposer has performed for the County, which shall be considered in the selection of the Proposer. As such the Proposer must list and describe all work performed for Miami-Dade County and include the name of the County Department which administers or administered the contract(s); the contact person(s) on the contract(s) and their telephone number; the dates covering the term of the contract(s); and, the dollar value of the contract(s).

- (d) Describe any other experiences related to the work or services described in the Scope of Services (see Section 2.0), and any other information which may be specific to the required services to be provided (e.g. software/hardware information, training, etc.)

9) Key Personnel and Subcontractors Performing Services

- (a) Provide an organization chart showing all individuals, including their titles, to be assigned to this project. This chart must clearly identify the Proposer's employees and those of the subcontractors or subconsultants.
- (b) List the names and addresses of all major first tier subcontractors or subconsultants, and describe the extent of work to be performed by each first tier subcontractor or subconsultant. Include a description of the proposed participation by small and minority business enterprises.
- (c) Describe the experience, qualifications and other vital information, including relevant experience on previous similar projects, of all key individuals and subcontractors or subconsultants who will be assigned to this project. This information shall include the functions to be performed by the key individuals and the subcontractors or subconsultants.
- (d) Provide resumes with job descriptions and other detailed qualification information on all key personnel who will be assigned to this project, including any subcontractors or subconsultants. All key personnel include all partners, managers, seniors and other professional staff that will perform work and/or services in this project.

Note: After proposal submission, but prior to the award of any contract issued as a result of this RFP, the Proposer has a continuing obligation to advise the CRA of any changes, intended or otherwise, to the key personnel identified in its proposal.

10) Development Design

- (a) Describe proposed project design, including floor plans and façade elevation.
- (b) Describe how the design will complement the commercial streetscape.
- (c) Describe how the design relates to the overall project.

11) Development Timeline/Readiness to Proceed

- (a) Describe Proposer's capacity to undertake this project.
- (b) List all other projects in which the Proposer is currently working on, or about to begin and explain how the Proposer takes on this redevelopment project.

12) Employment Opportunities

Describe how and by how much employment opportunities for area residents during both the construction and operation phases of the development will change.

13) Affidavits/Acknowledgements

The Proposer must complete, sign as required, and submit the following documents as part of its Technical Proposal:

Form A-1 Cover Page of Technical Proposal
Form A-2 Acknowledgement of Addenda

3.3 PROPOSAL PREPARATION REQUIREMENTS

Proposers must follow instructions of Section 1.4 "Proposal Submission". The proposal be in a sealed envelope or container that should be addressed as follows:

Proposer's Name
Proposer's Address
Proposer's Telephone Number

Clerk of the Board
Stephen P. Clark Center
111 NW 1st Street, 17th Floor, Suite 202
Miami, FL 33128-1983

RFP No.: CRA001
RFP Title: NW7th Avenue Corridor Redevelopment Project
Proposal Due Date: April 29, 2005

SECTION 4.0 - EVALUATION/SELECTION PROCESS

4.1 INTRODUCTION

Following the opening of the proposal packages, the proposals will be evaluated by an Evaluation/Selection Committee appointed by the CRA Board. The Committee will be comprised of appropriate County personnel from multiple departments and may include members of the community, as deemed necessary, with the appropriate experience and/or knowledge, striving to ensure that the committee is balanced with regard to both ethnicity and gender.

4.2 PROPOSAL EVALUATION

The Evaluation/Selection Committee will evaluate and rank responsive proposals on criteria listed below. The criteria are itemized with their respective weights for a maximum total of

One Hundred (100) points per each Evaluation/Selection Committee member, for all criteria. A Proposer may receive the maximum points or a portion of this score depending on the merit of its proposal, as judged by the Evaluation/Selection Committee in accordance with:

<u>Criteria</u>	<u>Points</u>
1. Financial capacity based on project scope/Pro-forma	20
2. Development and management experience including auto malls, sub-contractors, key personnel, and small and minority business enterprise participation	20
3. Automotive Distribution Rights provided/described in Section 3.2 (5)	20
4. Proposed Project concept to include:	
a) Development Plan, Vision, Design, Size, scale and design	
b) Management structure and methodology	
c) Timeliness and Readiness	15
5. Employment Opportunities	5

Investment will be evaluated in the following manner:

6. Amount of Private Development Investment (PDI) offered (most gets highest no. of points) 10

The responsive proposal with the highest Private Development Investment offered will be given the full weight of points assigned to the Private Development Investment criterion. Every other proposal will be given points proportionately in relation to the highest investment. This point total will be calculated by dividing the Proposers PDI by the Highest PDI from all proposal being evaluated with the result being multiplied by the maximum weight for investment to arrive at a PDI score of less than the full score for Private Development Investment.

Example:
$$\frac{\text{Proposer's PDI}}{\text{Highest PDI}} \times \text{Total Points for PDI} = \text{PDI Points}$$

The application of the above formula will result in a uniform assignment of points relative to

the criterion of Private Development Investment.

7. Amount of Public Investment/Subsidy (PI/S) required (least gets highest number of points) 10

The responsive proposal with the lowest Public Investment/Subsidy offered will be given the full weight of points assigned to the Public Investment/Subsidy criterion.

Every other proposal will be given points proportionately in relation to the lowest Public Investment/Subsidy. This point total will be calculated by dividing the lowest PI/S by the Proposer's PI/S with the result being multiplied by the maximum weight for investment to arrive at a cost score of less than the full score for Public Investment/Subsidy.

$$\text{Example: } \frac{\text{Lowest PI/S}}{\text{Proposer's PI/S}} \times \text{Total Points for PI/S} = \text{PI/S Points}$$

The application of the above formula will result in a uniform assignment of points relative to the criterion of Public Investment/Subsidy.

Upon completion of the evaluation, rating and ranking, the Committee may choose to conduct an oral presentation(s) with the Proposer(s) which the Evaluation/Selection Committee deems to warrant further consideration based on the best rated proposal providing the highest quality of service to the County; scores in clusters; significant breaks in scoring; and/or maintaining competition. Upon completion of the oral presentation(s), if held, the Committee will re-evaluate, re-rate and re-rank the proposals remaining in consideration based upon the written documents combined with the oral presentation.

4.3 CONTRACT AWARD

Following the proposal evaluation process, the Evaluation/Selection Committee will rank qualified Proposers and submit a final ranking report to the CRA Board for further consideration and approval to negotiate.

Any negotiated contract, as a result of the RFP, will be submitted to the CRA Board. **All Proposers will be notified in writing when the CRA Board or designee makes an award recommendation.** The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the CRA Board to be in the best interest of the CRA. In the event there are no bid protests filed pursuant to Section 1.22, the CRA Board's decision to make the award and which proposal is in the best interest of the CRA Board shall become final. In the event, there is a bid protest then the CRA Board's decision will become final only after there has been an exhaustion of all administrative remedies and the CRA Board has had an opportunity to review the report and recommendation of the hearing examiner.

PROPOSER'S INFORMATION FORM
Form A-1



NAME (Name of firm, entity or organization):			
CONTACT INFORMATION (Please Print):			
First Name:	Last Name:	Title:	
MAILING INFORMATION:			
Street Address:		State:	Zip:
PHONE INFORMATION (Please include area code on all numbers):			
Telephone:	Fax:	E-Mail Address:	
ORGANIZATIONAL STRUCTURE (Please mark an X in the space below your selection):			
<u>Corporation</u>	<u>Partnership</u>	<u>Proprietorship</u>	<u>Joint Venture</u>
Other (Please Explain):			
If organizational structure is a CORPORATION, please complete the section below.			
Date Incorporated / Organized:			
State Incorporated / Organized:			
States registered in as a foreign corporation:			

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Please state SERVICE or BUSINESS activities other than what this solicitation requests:	
Use the blank cells below to list the name(s) of the proposer's subcontractors or subconsultants for this project:	

ACKNOWLEDGEMENT OF ADDENDA
Form A-2

PER No. **CRA001**
MIAMI-DADE
COUNTY

INSTRUCTIONS: Please complete Part I or Part II, whichever is applicable:

Part I:

Listed below are the dates of issue for each Addendum received in connection with this solicitation:

<u>Addendum #1, Dated</u>	<u>April 8</u>	<u>, 2005</u>
<u>Addendum #2, Dated</u>		<u>, 200</u>
<u>Addendum #3, Dated</u>		<u>, 200</u>
<u>Addendum #4, Dated</u>		<u>, 200</u>
<u>Addendum #5, Dated</u>		<u>, 200</u>
<u>Addendum #6, Dated</u>		<u>, 200</u>
<u>Addendum #7, Dated</u>		<u>, 200</u>
<u>Addendum #8, Dated</u>		<u>, 200</u>
<u>Addendum #9, Dated</u>		<u>, 200</u>

Part II:

No Addendum was received in connection with this solicitation.

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<u>Authorized Signature:</u>		<u>Date (month / day / year):</u>	
		<u>99 / 99 / 9999</u>	
<u>NAME (Name of firm, entity or organization):</u>			
<u>CONTACT INFORMATION (Please Print):</u>			
<u>First Name:</u>	<u>Last Name:</u>	<u>Title:</u>	
<u>MAILING INFORMATION:</u>			
<u>Street Address:</u>	<u>City:</u>	<u>State:</u>	<u>Zip:</u>
<u>PHONE INFORMATION (Please include area code on all numbers):</u>			
<u>Telephone:</u>	<u>Fax:</u>	<u>E-Mail Address:</u>	
<u>999-999-9999</u>	<u>999-999-9999</u>		
<u>Federal Employer Identification Number (FEIN):</u>			

INVESTMENT PROPOSAL SCHEDULE
Form B-1



The Prosper shall state its investment plan for developing the primary development, including all services as stated in Section 2.0 of the RFP.

- A. TOTAL PRIVATE DEVELOPMENT INVESTMENT (PDI)
 (All investments, except for County funds) \$ _____
- B. TOTAL PUBLIC INVESTMENT (P/S)
 (County Subsidies) \$ _____

The Prosper's price shall be submitted on this Form B-1 "Investment Proposal Schedule", and in the manner stated herein; there is no exception allowed to this requirement.

Proposers who do not submit investment in accordance with this Form B-1, or who qualify or place any conditions on investment may not receive evaluation points for the Investment portion.

<u>Proposer:</u>		
<u>Authorized Signature:</u>		<u>Date:</u>
<u>NAME (Please print name of firm, entity or organization):</u>		
<u>CONTACT INFORMATION (Please Print):</u>		
<u>First Name:</u>	<u>Last Name:</u>	<u>Title:</u>
<u>MAILING INFORMATION:</u>		
<u>Street Address:</u>		
<u>City:</u>	<u>State:</u>	<u>Zip:</u>
<u>PHONE INFORMATION (Please include area code on all numbers):</u>		
<u>Telephone:</u>	<u>Fax:</u>	<u>E-Mail Address:</u>
<u>Federal Employer Identification Number:</u>		



140 W. FLAGLER STREET, SUITE 1000
MIAMI, FL 33130-1561

OFFICE OF COMMUNITY AND
ECONOMIC DEVELOPMENT
Director's Office
PHONE: 305-375-3848
FAX: 305-375-3428
kfinnie@miamidade.gov
www.miamidade.gov/ced

RFP No. CRA001

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ADDENDUM NO. 1

DATE: April 8, 2005

TO: ALL PROSPECTIVE PROPOSERS

SUBJECT: NW 7th Avenue Request For Proposals
RFP No. CRA 001

This Addendum becomes a part of RFP No. CRA 001 entitled: "NW 7th Avenue Corridor Development Project."

- A. Please find attached the attendance sheet for the Pre-proposal Conference for the subject RFP.
- B. The following are questions that were asked and /or submitted by e-mail, certified mail and fax, and the corresponding responses:

a. Will the CRA make use of eminent domain?

Answer: The CRA Board does not have the power of eminent domain. Such powers are vested in the Board of Commissioners of Miami-Dade County (BCC). The BCC in their deliberation on this item did not discuss the issue of eminent domain. Any determination regarding the use of eminent domain authority for land acquisition by the CRA/BCC, will be addressed in the development agreement with the successful proposer.

b. Are the properties zoned for auto dealers?

Answer: The properties identified in the Redevelopment Plan for the Primary Redevelopment project are zoned commercial.

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c. What criteria or qualification will the Selection Committee use to evaluate the responsiveness of the Proposer for granting points for small and minority business enterprise participation?

Answer: The proposal evaluation criteria establishes seven (7) categories on which responses will be evaluated; financial capacity, development and management experience, automotive distribution rights, project concept, employment opportunities, private development investment and public investment/subsidy.

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d. Will a Unity of Title be required for the purposes of developing this land?

Answer: The Redevelopment Plan has established that development of the auto-mall will require assembly of approximately 30 acres of land, comprising contiguous parcels. A determination regarding the use of a unity of title approach relative to land assemblage is at the discretion of the proposer in its land acquisition and development strategy. The RFP does not require the use of that approach. Other options for the assembly of the land for development will be considered.

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e. The Greater 7th Avenue Improvement Association would like to know if the above mentioned RFP can be postponed or delayed, because no investigative work or charrette process was ever used or sought among the present owners or their representatives for a higher and better use and with less cost to the tax payer?

Answer: The Board of Commissioners of Miami-Dade County has approved the Redevelopment Plan and the RFP for the Primary Redevelopment Project, along with the timetable for implementation of the plan. A postponement or delay of the RFP, would necessitate the approval of the BCC.

f. What about impact fee waivers?

Answer: Should a request for impact fee waivers be included in the Proposer's financing package, such requested amounts will be considered in the formula for evaluating the Public Investment/Subsidy ratio.

g. How can I get a complete copy of the redevelopment plan?

Answer: A copy of the redevelopment plan may be obtained by visiting the County Office of Community and Economic Development Website: <http://www.miamidade.gov/ced>. A hard copy may be picked up from the Office of Community and Economic Development, 140 W. Flagler Street, Suite 1100, Miami, FL 33130. Tel (305) 375-3519.

h. Who will comprise the selection committee?

Answer: The composition of a selection committee is usually decided by the County Manager's Office. It is anticipated that at a minimum, given the magnitude and nature of the project, staff of the following County Departments may be asked to serve on the selection committee: The Office of Community and Economic Development, Office of Strategic Business Management, Department of Planning and Zoning, Finance Department, Public Works Department and the County Attorney's Office. It is to be Requests for Proposals (RFP) No. CRA 001/NW 7th Avenue Corridor Development Project

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anticipated that staff of other Departments may act as technical advisors to the selection committee.

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i. Explain the distribution rights requirement

Answer: In Florida, a Franchisee of an Original Equipment Manufacturer of automobiles may not establish a franchise within 12 ½ miles of an existing franchise of the same name-plate. Accordingly, placing a franchise within the boundaries of the proposed auto-mall will require the franchisee to adhere to this requirement. Since the Primary Redevelopment Project is an auto-mall, a minimum qualification of the RFP is that the proposer shall have distribution rights for the franchise being considered.

j. Would it matter what franchises a proposer offers.

Answer: OEM franchisees generally conduct market studies to determine the type of name-plate a sales location can support. Given the size of investment that this project calls for, the CRA Board anticipates that a proposer will ensure that the product mix will reflect the community needs and maximize return on investment.

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k. Who will own the land?

Answer: There are many alternative scenarios for ownership of the land, including County ownership with the properties being leased to the developer/manager. The land is to remain on the tax roll so that the CRA's tax increment will not be adversely impacted. It is for this reason that private land acquisition strategies are encouraged. In addition, it is anticipated that any land that may be acquired by the CRA to facilitate the primary redevelopment project will be sold to the successful proposer. Such decisions will be the subject of negotiations between the CRA Board and the successful proposer..

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l. Will the Public Works Department be included on the selection committee?

Answer: As stated earlier such decisions are made by the County Manager's Office at the appropriate time.

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All other information remains the same.

Bryan K. Finnie
Director
Office of Community and Economic Development

cc: Clerk of the Board